

SHADOW_FAX

MR. EDSALL: Last item that Myra handed me tonight that apparently I lost or I never got, I don't know which is the Shadow Fax letter. They're requesting that they get permission to do some clearing and tree removal. Customarily if you do give any authorization it's between preliminary and final.

MR. ARGENIO: What's their status right now?

MR. EDSALL: They've made, they're in round four with the Orange County Health Department which would tell me that they're, the layout issues are probably resolved, they're probably looking at details.

MR. ARGENIO: You're the enforcement guy, how much of a problem has it been for you in other areas of the town?

MR. CORDISCO: If I could before Mike answers just to put that in context, the board has previously adopted a negative dec and granted preliminary approval which you have also extended I think on at least one occasion so they have not yet--

MR. ARGENIO: The problem is with these type of requests is that the applicants take that and they bring it to the next level and it becomes a problem for Mike Babcock's office, suddenly we have roads being built, ponds being built, sewers being installed and we have every excuse, I just wanted to show you I could build it to I didn't know I had to do it. I mean, I've heard it all.

MR. BABCOCK: Tearing up the roads, they don't put cleaning pads.

MR. ARGENIO: Mike, what do you think, you're the one who has to enforce it?

MR. BABCOCK: I don't know what the reasoning is, they don't have approval, they shouldn't be starting the project.

MR. SCHLESINGER: I agree.

MR. ARGENIO: Mike is the poor S.O.B. who has to deal with the phone calls while the supervisor says Mike, go out and see this or that, meantime we gave them approval and Babcock is calling me saying Jerry, I've got to do this.

MR. SCHLESINGER: I agree with Mike.

MR. BABCOCK: They just want to get started, they don't have an approval, right, is there a reason Mark other than that?

MR. EDSALL: It's the same as all of them, I was going to say that the only thing the board has ever done in the past if you give anything you give the ability for the applicant to begin to clear and grade the road, not to work outside the road area, that way they can get it graded and stabilized.

MR. BABCOCK: When they start clearing and grading the roads we need inspections there, there's fill sections. Nobody knows.

MR. EDSALL: Just one other thing that has changed maybe to support Mike's concern in the past we didn't have the same storm water regulations, there wasn't the SWPPP, there wasn't--

MR. ARGENIO: They're tighter now.

MR. EDSALL: A lot of times there's a lot more work than just grading the road now so it's--

MR. ARGENIO: Let's say no for now and, you know, if

this is some kind of phenomenal financial hardship for this applicant or some such thing he'll come back or espouse that to you Mike and if we need to revisit it we can but until--

MR. CORDISCO: There's another implication here if I may, the new DEC permit for storm water which is into effect on January 8 for projects approved after that you could not open up more than five acres of a site during the winter months, that might be something.

MR. ARGENIO: Are you sure? I have that on some of my jobs now the five acre threshold.

MR. EDSALL: It's waiveable.

MR. CORDISCO: It's waiveable but the waiver is not valid during the winter months as proposed under this draft permit that goes into effect on January 8.

MR. EDSALL: That's what we were disturbing the meeting talking about.

MR. ARGENIO: So Mark the answer is no, that's the answer. If there's some kinds of phenomenal financial hardship that's demonstrated we'll consider revisiting it at some point in time six months from now if that's the case, but it's no for now. That's it. What else you got?

MR. EDSALL: That's it, thank you for your patience.